

(2) “Oil and gas operation” means an activity associated with the exploration, development, production, processing, and transportation of oil and gas, including drilling, hydraulic fracture stimulation, completion, maintenance, reworking, recompletion, disposal, plugging and abandonment, secondary and tertiary recovery, and remediation activities.

(b) An oil and gas operation is subject to the exclusive jurisdiction of this state. Except as provided by Subsection (c), a municipality or other political subdivision may not enact or enforce an ordinance or other measure, or an amendment or revision of an ordinance or other measure, that bans, limits, or otherwise regulates an oil and gas operation within the boundaries or extraterritorial jurisdiction of the municipality or political subdivision.

(c) The authority of a municipality or other political subdivision to regulate an oil and gas operation is expressly preempted, except that a municipality may enact, amend, or enforce an ordinance or other measure that:

(1) regulates only aboveground activity related to an oil and gas operation that occurs at or above the surface of the ground, including a regulation governing fire and emergency response, traffic, lights, or noise, or imposing notice or reasonable setback requirements;

(2) is commercially reasonable;

(3) does not effectively prohibit an oil and gas operation conducted by a reasonably prudent operator; and

(4) is not otherwise preempted by state or federal law.

(d) An ordinance or other measure is considered *prima facie* to be commercially reasonable if the ordinance or other measure has been in effect for at least five years and has allowed the oil and gas operations at issue to continue during that period.

SECTION 3. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2015.

Passed by the House on April 20, 2015: Yeas 125, Nays 20, 1 present, not voting;  
passed by the Senate on May 4, 2015: Yeas 24, Nays 7.

Approved May 18, 2015.

Effective May 18, 2015.

## CANINE ENCOUNTER TRAINING FOR PEACE OFFICERS

### CHAPTER 31

H.B. No. 593

#### AN ACT

relating to canine encounter training for peace officers.

*Be it enacted by the Legislature of the State of Texas:*

SECTION 1. Section 1701.253, Occupations Code, is amended by adding Subsection (l) to read as follows:

(l) As part of the minimum curriculum requirements, the commission shall require an officer licensed by the commission on or after January 1, 2016, to complete a canine encounter training program established by the commission under Section 1701.261. An officer shall complete the program not later than the second anniversary of the date the officer is licensed under this chapter unless the officer completes the program as part of the officer's basic training course.

SECTION 2. Subchapter F, Chapter 1701, Occupations Code, is amended by adding

Section 1701.261 to read as follows:

*Sec. 1701.261. CANINE ENCOUNTER TRAINING PROGRAM. (a) The commission shall establish a statewide comprehensive education and training program on canine encounters and canine behavior. The training program must consist of at least four hours of classroom instruction and practical training, developed and approved by the commission, that addresses:*

- (1) handling canine-related calls, anticipating unplanned encounters with canines, and using humane methods and tools in handling canine encounters;*
- (2) recognizing and understanding canine behavior;*
- (3) state laws related to canines;*
- (4) canine conflict avoidance and de-escalation;*
- (5) use of force continuum principles in relation to canines;*
- (6) using nonlethal methods, tools, and resources to avoid and defend against a canine attack; and*
- (7) a general overview of encounters with other animals.*

*(b) At least once every four years, the commission shall review the content of the training program under this section and update the program as necessary.*

*(c) Notwithstanding Sections 1701.253(l) and 1701.402(l), an officer who has completed at least four hours of a canine encounter training program is not required to complete the program under this section.*

SECTION 3. Section 1701.402, Occupations Code, is amended by adding Subsection (l) to read as follows:

*(l) As a requirement for an intermediate or advanced proficiency certificate issued by the commission on or after January 1, 2016, an officer must complete the canine encounter training program established by the commission under Section 1701.261.*

SECTION 4. Not later than January 1, 2016, the Texas Commission on Law Enforcement shall establish the canine encounter training program as required by Section 1701.261, Occupations Code, as added by this Act.

SECTION 5. Notwithstanding any other provision of this Act, an officer employed by a county with a population of less than 125,000 is not required to comply with Sections 1701.253(l) and 1701.402(l), Occupations Code, as added by this Act, before January 1, 2017.

SECTION 6. This Act takes effect September 1, 2015.

Passed by the House on April 20, 2015: Yeas 132, Nays 12, 1 present, not voting;  
passed by the Senate on May 4, 2015: Yeas 28, Nays 3.

Approved May 18, 2015.

Effective September 1, 2015.

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## CORPORATIONS AND FUNDAMENTAL BUSINESS TRANSACTIONS

### CHAPTER 32

S.B. No. 860

#### AN ACT

**relating to corporations and fundamental business transactions.**

*Be it enacted by the Legislature of the State of Texas:*

SECTION 1. Section 1.002, Business Organizations Code, is amended by adding